

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT HARRINGTON, et al.,)	
)	
Plaintiffs)	Civil Action No.
v.)	04-12558-NMG
DELTA AIR LINES, INC., et al.,)	
)	
Defendants.)	
)	

STIPULATION CONCERNING THE SCHEDULE FOR AMENDING THE COMPLAINT AND FILING RESPONSIVE PLEADINGS THERETO

The parties to this case hereby stipulate and agree that the Plaintiffs shall have up to and including May 30, 2005 to file their Amended Complaint, and the Defendants shall have up to and including July 15, 2005 to answer or otherwise respond by way of motion to dismiss or other appropriate motion. As grounds for this Stipulation, the parties state follows:

In response to the Motions to Dismiss filed by Defendants Delta Air Lines, Inc., American Airlines, Inc., Northwest Airlines, Inc., Alaska Airlines, Inc., Continental Airlines, Inc., Southwest Airlines Co., and Air Transport Association of America, Inc. (“ATA”) (collectively the “Domestic Defendants”)¹ and the Motion to Dismiss filed by Lufthansa, A.G., the Plaintiffs indicated that they intend to file an Amended Complaint. Plaintiffs’ counsel has indicated that he will require additional time to prepare his Amended Complaint due to health issues that he is currently resolving. Once the Amended Complaint is filed, the Domestic Defendants and Lufthansa (and perhaps other defendants as well) may file renewed Motions to

¹ Three (3) separate Motions to Dismiss were filed by the Domestic Defendants. Alaska Airlines and ATA each filed separate Motions to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(2) and the Domestic Defendants filed a joint Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6).

Dismiss which, depending on how the Plaintiffs' claims have changed, will likely address some different arguments from the Domestic Defendants' original Motion to Dismiss.

WHEREFORE, the parties respectfully request that this Stipulation be approved by the Court, and that the Plaintiffs be permitted to file their Amended Complaint by May 31, 2005, and Defendants be permitted to respond the Amended Complaint by July 15, 2005.

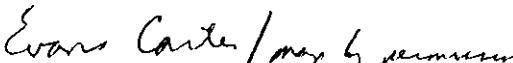
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